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Application Number	09/896,186
Filing Date	June 29, 2001
First Named Inventor	Levin
Group Art Unit	1645
Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission: 4	**Attorney Docket Number** PB/5-31481A

ENCLOSURES *(check all that apply)*

- [ ] Fee Transmittal Form
  - [ ] Fee Attached
- [X] Amendment / Reply (Second Preliminary)
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Response to Missing Parts/ Incomplete Application
  - [ ] Response to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Assignment Papers *(for an Application)*
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- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
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- [ ] Terminal Disclaimer
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- [ ] After Allowance Communication to Group
- [ ] Appeal Communication to Board of Appeals and Interferences
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- [ ] Proprietary Information
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- [ ] Other Enclosure(s) *(please identify below)*:

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm *or* Individual name	Mary Kakefuda, Reg. No. 39,245 Syngenta Biotechnology, Inc.
Signature	Mary Kakefuda
Date	10/22/01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
LEVIN ET AL.
APPLICATION NO.: 09/896,186
FILED: June 29, 2001
FOR: Methods of Controlling Gene Expression and Gene Silencing

ART UNIT: 1645
CONFIRMATION NO.: 9567
DOCKET: PB/5-31481A

SECOND PRELIMINARY AMENDMENT UNDER 37 C.F.R. §1.111

Box: Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-identified patent application, please enter the following amendments and consider the remarks below.

IN THE SPECIFICATION:

Please amend the specification to read as follows:

On page 52, Example 5:

--The line 8Z-2 (see Example 4 above) is crossed with the line S11.13-34 (see Example 2 above) and the resultant F1 generation plants are allowed to self-fertilize to obtain the F2 generation. Approximately 60 F2 plants are grown and tested for a presence of T-DNA insertion in the RDRD gene derived from the S11.13-34 parental line and for the 35S-GFP T-DNA derived from the 8Z-2 parental line. The presence of the T-DNA insertion in the RDRD gene is demonstrated as described in Example 2. Plants carrying this T-DNA insertion are then checked for homozygosity by PCR using the 3' specific primer (SEQ ID NO:19) and 36851TD#3 (5'-gct ccg ccc aca taa ttc aaa caa cac-3', SEQ ID NO:29). These primers span a region of genomic DNA including the insertion site such that only the wild-type copy of DNA results in

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